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SAM'S WEST, INC.  
7

8 **UNITED STATES DISTRICT COURT**  
9 **DISTRICT OF NEVADA**

10 LISA MASTERS,

11 Plaintiff,

12 v.

13 SAM'S WEST, INC. d/b/a SAM'S CLUB, a  
14 Domestic Limited-Liability Company; LARRY  
15 BIRD, an individual; ROB "DOE", an  
individual; DOES 1-25, inclusive; and ROE  
16 CORPORATIONS 1-25, inclusive,

17 Defendants.

Case No. 2-24-cv-01959-RFB-MDC

**STIPULATED DISCOVERY PLAN AND  
SCHEDULING ORDER**

**(SUBMITTED IN COMPLIANCE WITH  
LR 26-1(b))**

18 Defendant, Sam's West, Inc. (hereinafter "Sam's West"), and Plaintiff, Lisa Masters  
19 ("Plaintiff"), by and through their respective attorneys of record, hereby submit this Stipulated  
20 Discovery Plan and Scheduling Order pursuant to Federal Rule of Civil Procedure 26(f) and Local  
21 Rule 26-1(b).

22 **1. Fed. R. Civ. P. 26(a) Initial Disclosures:**

23 Pursuant to Federal Rule of Civil Procedure 26(f) and Local Rule of Court 26-1(a), on  
24 November 25, 2024, counsel for Plaintiff, Christian Smith, Esq. of Kang & Associates, PLLC  
25 Offices and counsel for Defendant, Z. Kathryn Branson, Esq. of Littler Mendelson, conducted a  
26 meeting to discuss the relevant issues for discovery, possible early resolution of the matter, and  
27 other pertinent issues. Pursuant to these discussions, the parties agree that they will submit their  
28 initial disclosures on or before **December 16, 2024**.

1           **2. Discovery Cut-Off Date:**

2           The parties request a discovery period of 180 days from October 28, 2024, the date the  
3 Defendant Sam's West, Inc. filed its Motion to Dismiss the Complaint. Accordingly, all discovery  
4 must be completed no later than **Monday, April 28, 2025. [Deadline lands on Saturday moved**  
5 **to Monday]**.

6           **3. Amending the Pleadings and Adding Parties:**

7           The date for filing motions to amend the pleadings or to add parties shall not be later than  
8 ninety (90) days prior to the discovery cut-off date and, therefore, not later than **Tuesday, January**  
9 **28, 2025.**

10           **4. Fed. R. Civ. P. 26(a)(2) Disclosures (Experts):**

11           In accordance with Rule 26(a)(2), initial disclosures identifying experts shall be made sixty  
12 (60) days prior to the discovery cut-off date, and therefore, not later than **Thursday, February 27,**  
13 **2025,** and disclosures identifying rebuttal experts shall be made thirty (30) days after the initial  
14 disclosure of experts and, therefore, not later than **Monday, March 31, 2025. [Deadline lands on**  
15 **Saturday moved to Monday]**.

16           **5. Dispositive Motions:**

17           The parties shall file dispositive motions not more than (30) days after the discovery cut-  
18 off date and, therefore, not later than **Wednesday, May 28, 2025.**

19           **6. Pretrial Order:**

20           If no dispositive motions are filed, and unless otherwise ordered by this Court, the Joint  
21 Pretrial Order shall be filed not more than thirty (30) days after the date set for filing dispositive  
22 motions and, therefore, not later than **Friday, June 27, 2025.**

23           **7. Fed. R. Civ. P. 26(a)(3) Disclosures:**

24           If no dispositive motions are filed, and unless otherwise ordered by this Court, the parties  
25 shall file the disclosures required by Fed. R. Civ. P. 26(a)(3) and any objections thereto with the  
26 Pretrial Order pursuant to LR 26-1(b)(6) in the Joint Pretrial Order, not more than thirty (30) days  
27 after the date set for filing dispositive motions and, therefore, not later than **Friday, June 27, 2025.**  
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**8. Alternative Dispute Resolution:**

The parties certify they have met and conferred about the possibility of using alternative dispute-resolution processes including mediation, arbitration and early neutral evaluation.

**9. Alternative Forms of Case Disposition:**

The parties certify they have considered consent to trial by a magistrate judge under 28 U.S.C. § 636(c) and Fed.R.Civ.P.73 and the use of the Short Trial Program (General Order 2013-01).

**10. Electronic Evidence:**

The parties certify they have discussed whether they intend to present evidence in electronic format to jurors for the purposes of jury deliberations. Discussions between the parties will be ongoing as the trial date approaches and they stipulate that they intend to present any electronic evidence in a format compatible with the court's electronic jury evidence display system.

**11. Extensions or Modifications of the Discovery Plan and Scheduling Order:**

In accordance with Local Rule 26-3, a stipulation or motion for modification or extension of this discovery plan and scheduling order must be made no later than twenty (21) days before the expiration of the subject deadline.

Dated: November 26, 2024

Respectfully submitted,

/s/ Christian Z. Smith

PATRICK W. KANG, ESQ.

KYLE R. TATUM, ESQ.

CHRISTIAN Z. SMITH, ESQ.

KANG & ASSOCIATES, PLLC

Attorneys for Plaintiff

LISA MASTERS

Dated: November 26, 2024

Respectfully submitted,

Z. KATHRYN BRANSON, ESQ.

LITTLER MENDELSON, P.C.

Attorneys for Defendant  
SAM'S WEST, INC.

**IT IS SO ORDERED.**

Dated: 11-27-24

UNITED STATES MAGISTRATE JUDGE